

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
 N/S Mamopa Court, 330' E of the * DEPUTY ZONING COMMISSIONER
 c/l of Pleasant Grove Road * OF BALTIMORE COUNTY
 (4 Mamopa Court) * Case No. 97-240-A
 4th Election District *
 3rd Councilmanic District *
 David Bisaha, et ux *
 Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 4 Mamopa Court, located in the vicinity of Dover Road in Reisterstown. The Petition was filed by the owners of the property, David and Bernice Bisaha. The Petitioners seek relief from Section 1A00.3.B.3 (1971 RDP Regulations) to permit a property line setback of 30 feet in lieu of the minimum required 50 feet for a proposed 22' x 28' addition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding locale and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Further-

ORDER RECEIVED FOR FILING
 Date 11/2/97
 By [Signature]

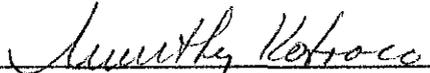
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more, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 2nd day of January, 1997 that the Petition for Administrative Variance seeking relief from Section 1A00.3.B.3 (1971 RDP Regulations) to permit a property line setback of 30 feet in lieu of the minimum required 50 feet for a proposed 22' x 28' addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

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Date 1/2/97
BY [Signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

January 2, 1997

Mr. & Mrs. David Bisaha
4 Mamopa Court
Reisterstown, Maryland 21136

RE: PETITION FOR ADMINISTRATIVE VARIANCE
N/S Mamopa Court, 330' E of the c/l of Pleasant Grove Road
(4 Mamopa Court)
4th Election District - 3rd Councilmanic District
David Bisaha, et ux - Petitioners
Case No. 97-240-A

Dear Mr. & Mrs. Bisaha:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. John DeGraw
3901 E. Monument Street, Baltimore, Md. 21205

People's Counsel

File

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Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4 MAMOPA CT

which is presently zoned RC-2

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1000.3.B.3 (1971 RDP REG-
ULATIONS) To permit a property line setback of 30 FT. IN
LIEU OF THE Required 50 FT. (FOR PROPOSED ADDITION)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

To provide living quarters ^{EX} (including kitchen) for homeowners' mother, which would extend five (5) feet into property line setback.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Legal Owner(s):

DAVID BISAHA
(Type or Print Name)

Signature

BERNICE C. BISAHA
(Type or Print Name)

Signature

#4 MAMOPA CT H- 526-5424
Address W- 345-2314
Phone No.

REISTERSTOWN MD 21136
City State Zipcode
Name, Address and phone number of representative to be contacted

JOHN DEGRAW
Name

3901 E. MONUMENT ST 732-1360
Address Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ___ day of _____, 19___ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

REVIEWED BY [Signature]

DATE: 12/5/96

ESTIMATED POSTING DATE: 12/16/96



Printed with Soybean Ink
on Recycled Paper

ITEM #: 240

ORDER RECEIVED FOR FILING
Date 11/27/96
By [Signature]

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Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 4 Mamopa Court
address
Reisterstown MD 21136
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

The purpose of the variance is to allow construction of living quarters for Mrs. Bisaha's mother, Mrs. Ann Palermo, who currently resides at the property next door. Mrs. Palermo is unable to maintain her own property and has placed it up for sale. She wishes to reside with her daughter and son-in-law, but in a manner that will allow her to care for herself; hence, ~~the second kitchen is a necessity.~~

SEE ATTACHED

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

David Bisaha
(signature)

DAVID BISAHA
(type or print name)



Berence C. Bisaha
(signature)

BERENCE C. BISAHA
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5th day of December, 19 96, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

DAVID BISAHA and Berence C. Bisaha

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

12/18/96
date

Suzanne L. Kemper
NOTARY PUBLIC

My Commission Expires: 7/1/97

ATTACHMENT

THE PROPERTY LAYOUT WOULD ONLY ALLOW AN ADDITION TO BE BUILT ON THE LEFT SIDE BECAUSE OF THE PIE SHAPED LAYOUT AND EXISTING LOCATION OF THE POOL IN REAR AND UTILITIES ON RIGHT SIDE.

THE EXISTING STRUCTURE DESIGN IS SPLIT LEVEL^{OF} WHICH THE ADDITION WOULD TIE IN BETTER TO THE LEFT SIDE

ORDER RECEIVED FOR FILING

Date

By

11/2/89
Tep

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ZONING DESCRIPTION FOR
#4 MAMOPA COURT,
REISTERSTOWN, MD 21136

Beginning at a point on the north side of Mamopa Court, which is 25 feet wide at the distance of 330 feet east of the centerline of the nearest improved intersecting street Pleasant Grove Road which is 30 feet wide. Being Lot #2, Block #6, Section # in the subdivision of Pleasant Run as recorded in Baltimore County Plat Book #38, Folio #2, containing 1.034 acres. Also known as #4 Mamopa Court and located in the Election District, Councilmanic District.

MICROFILMED



Baltimore County
 Department of Permits and
 Development Management

Development Processing
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

 ARNOLD JABLON, DIRECTOR

 For newspaper advertising:

Item No.: 240

Petitioner: BISAHA

Location: #4 MAMOPA CT.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: KLEISH CONST REMOD. COMPANY

ADDRESS: 3901 E. MONUMENT ST.

BALTO. MD 21205

PHONE NUMBER: 410-732-1360

AJ:ggs

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(Revised 09/24/96)

CERTIFICATE OF POSTING

RE: Case No.: 97-240-A

Petitioner/Developer: _____

DAVID BISAHA

Date of Hearing/Closing: 12/30/96

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 4 MAMOLA COURT

BALTIMORE, MD. 21136

The sign(s) were posted on DEC. 30, 1996
(Month, Day, Year)

Sincerely,

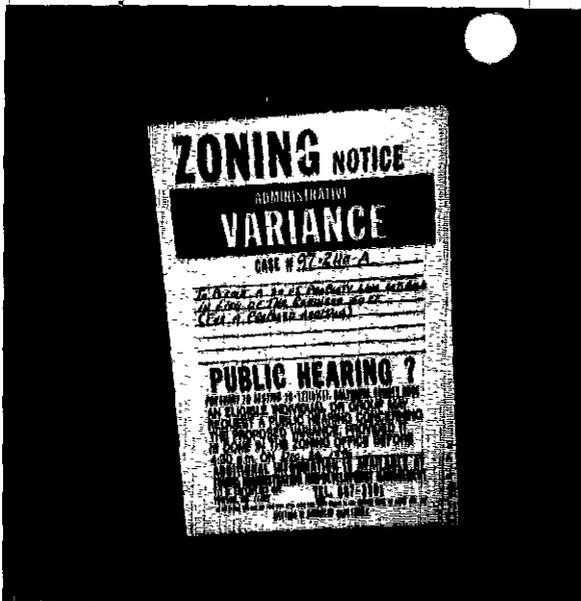
Thomas P. Ogle Sr. 12/12/96
(Signature of Sign Poster and Date)

Thomas P. Ogle Sr.
(Printed Name)

325 Nicholson Road
(Address)

BALTIMORE, MD. 21201
(City, State, Zip Code)

(410) 687-8405
(Telephone Number)



97-240-A

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Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 12/16/96.

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 96-240-A

TO PERMIT A 30 FT. PROPERTY LINE SETBACK IN
LIEU OF THE REQUIRED 50 FT. (FOR A PROPOSED
ADDITION)

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE, AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

9/96
post2.doc

*app provided with all
posting copies +
advised of deadline*

MICROFILMED



Baltimore County
 Department of Permits and
 Development Management

Development Processing
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

December 13, 1996

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-240-A (Item 240)
 4 Mampopa Court
 N/S Mampopa Court, 330' E of Pleasant Grove Road
 4th Election District - 3rd Councilmanic
 Legal Owner(s): David Bisaha and Bernice C. Bisaha
 Post by Date: December 15, 1996
 Closing Date: December 30, 1996

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
 Director

cc: David and Bernice Bisaha
 Welsh Const. Remod. Co.

RECEIVED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 31, 1996

Mr. and Mrs. David Bisaha
4 Mamopa Court
Reisterstown, MD 21136

RE: Item No.: 240
Case No.: 97-240-A
Petitioner: David Bisaha, et ux

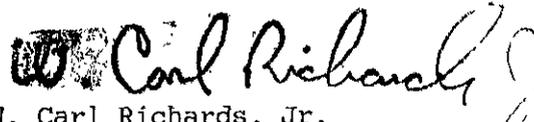
Dear Mr. and Mrs. Bisaha:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on December 5, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,



W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 12.13.96
Item No. 240 (JLL)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for

Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

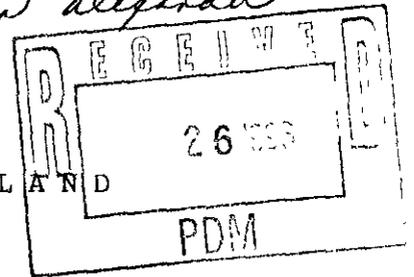
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE



TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: Dec. 23, 1996

FROM: *RWB* Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for December 23, 1996
Item Nos. 235, 237, 239, 240,
241, 242

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE42

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Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 12/18/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF DEC. 16, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 235, 236, 237, 238, 239, 240, 241 AND 242.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 12/17/96

FROM: R. Bruce Seeley *RBS/sp.*
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Dec 16 *+L*

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

235
236
237
239
240
241

RBS:sp

BRUCE2/DEPRM/TXTSBP

RECORDED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: December 16, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 233, 235, 236, 239, (240), and 241

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Cary L. Kerns

PK/JL

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: December 5, 1996

TO: Hearing Officer

FROM: John L. Lewis
Planner II
Zoning Review, PDM

SUBJECT: Item #240
4 Mamopa Court

(12/5/96). Advised applicant we need photos within two weeks of the filing date

JLL:scj

ENCLOSURE

Plat to accompany Petition for Zoning Variance Special Hearing

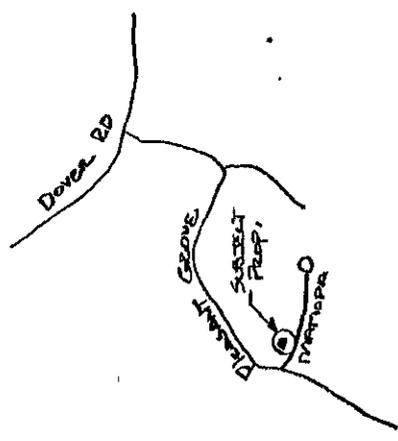
see pages 5 & 6 of the CHECKLIST for additional required information

PROPERTY ADDRESS: 4 MAMOPA COURT 21136

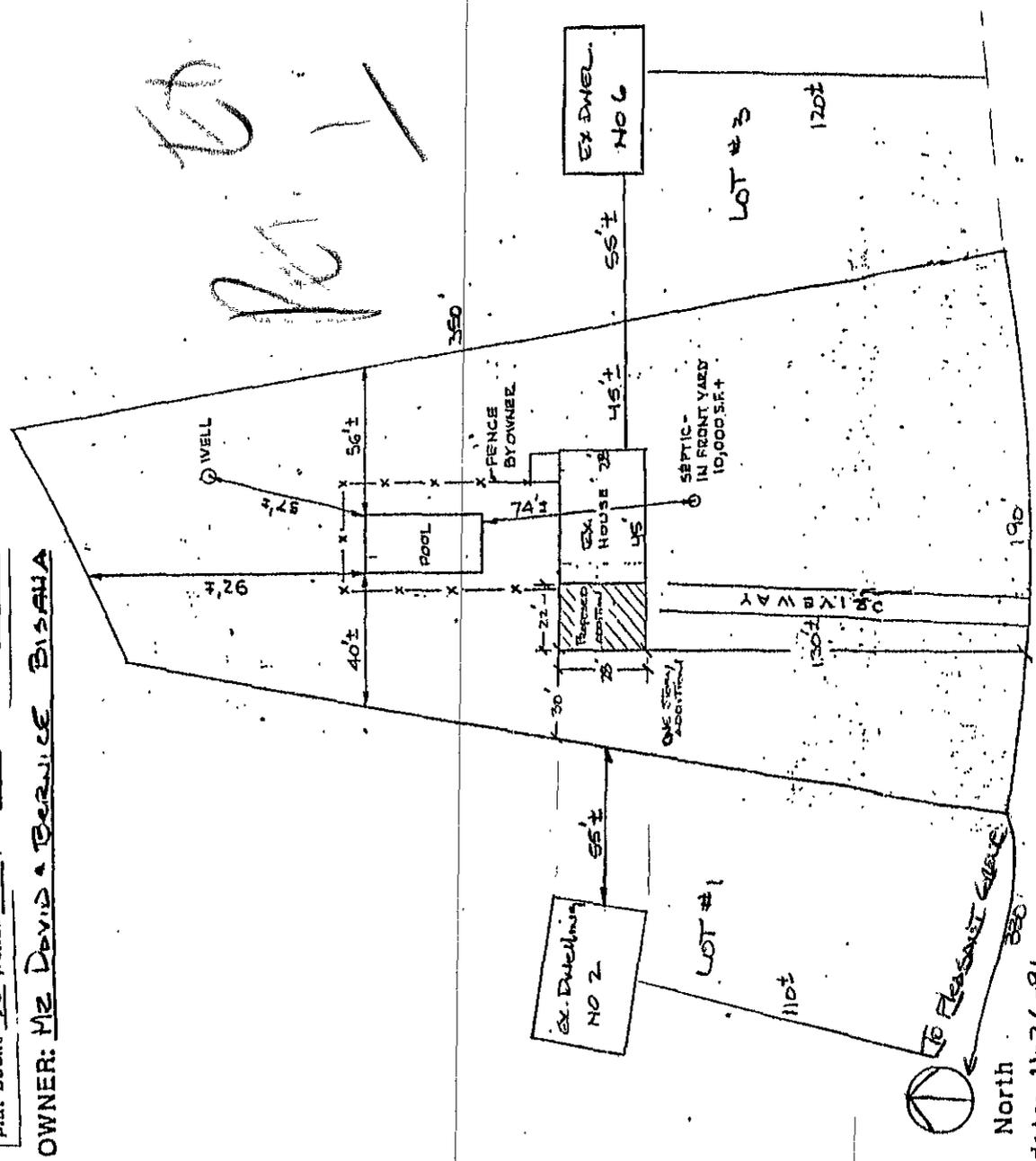
Subdivision name: PLEASANT RUN

plat book # 33, folio # 2, lot # 2, section # 2

OWNER: MR DAVID & BERNICE BISHA



North
Vicinity Map
scale: 1"=1000'



LOCATION INFORMATION

Election District: 4
 Councilmanic District: 3
 1"=200" scale map #: 23-5
 Zoning: R-2
 Lot size: 1.034 acreage square feet
 PUBLIC PRIVATE
 SEWER:
 WATER:
 Chesapeake Bay Critical Area: YES NO
 Prior Zoning Hearings:

Zoning Office USE ONLY!

reviewed by: JV ITEM #: 240 CASE#:

Scale of Drawing: 1"=60'

date: 11-26-96
 prepared by: JOHN DEGRAJ

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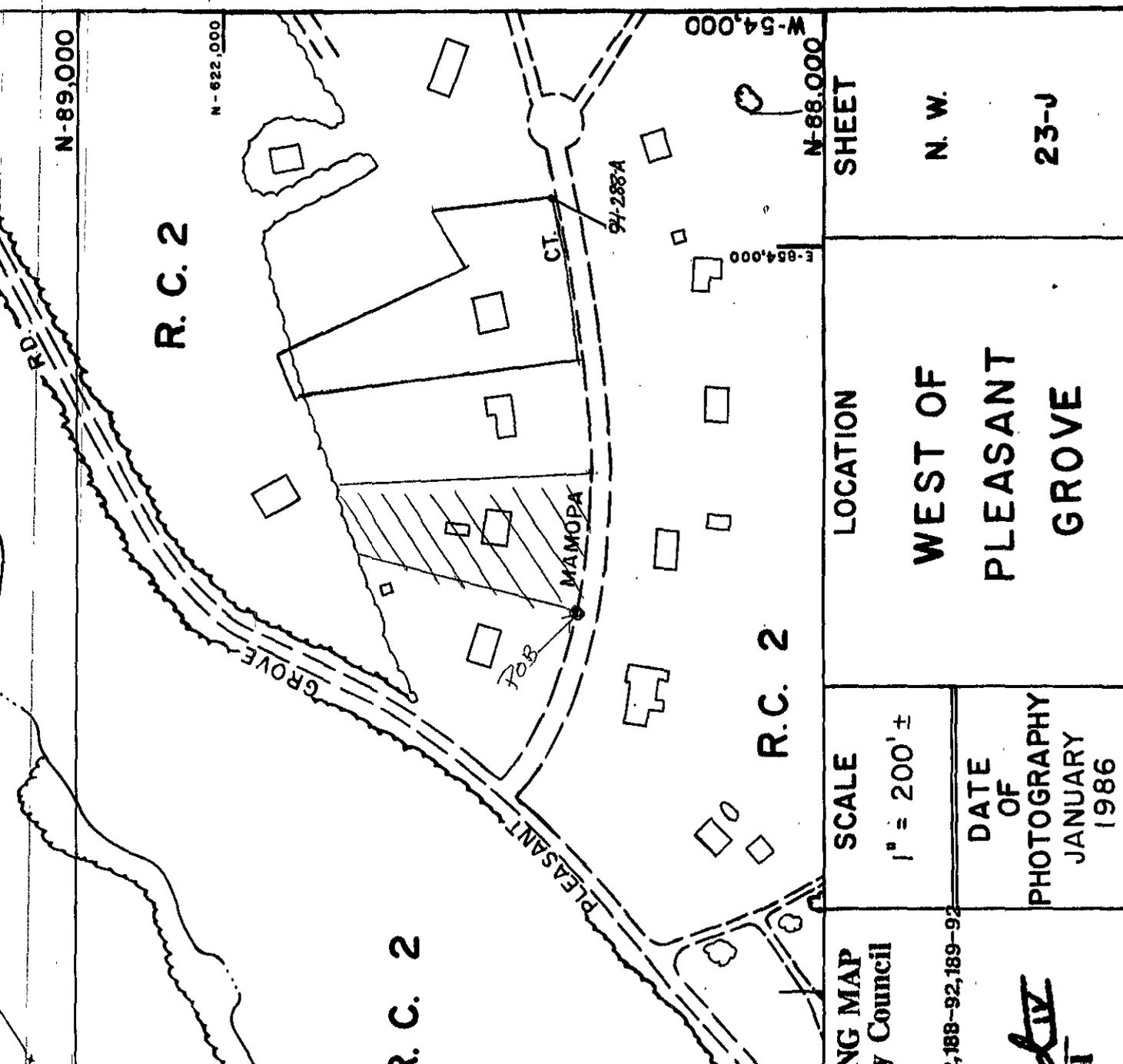
NUMBER
IRVINE CALIFORNIA

DRAWING NUMBER
NW 23-J

PLAN HOLD CORPORATION • IRVINE CALIFORNIA

#24

THIS LINE POSITION EDGE OF PRINT ON THIS LINE



SHEET N. W. 23-J	LOCATION WEST OF PLEASANT GROVE	SCALE 1" = 200' ±	DATE OF PHOTOGRAPHY JANUARY 1986
------------------------	--	----------------------	--

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#2 Mamopa
240



#6 Mamopa
240



Room Addition
240



Baltimore County
Department of Permits and
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

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SHEET
MICROFILMED
N.W.
23-J

LOCATION
WEST OF
PLEASANT
GROVE

SCALE
1" = 200'

DATE
OF
PHOTOGRAPHY
JANUARY
1966

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 26101